IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3479 OF 2006

Maharashtra State Board
Transport Corporation ..Petitioners

V/S

Shivaji Vishnu Chavan ..Respondent

G.S. Hegde & Associates for petitioners.

Mr.M.S. Topkar for Respondent.

CORAM : A.P. DESHPANDE, J.

DATE : 22ND JANUARY, 2007.

P.C.

1. The Respondent was proceeded against by initiating the disciplinary proceedings on the charges of commission of misconduct. The Respondent was terminated from the service and aggrieved thereby the Respondent moved the Labour Court under section 28 read with item No. 1(a),(b),(g) of Schedule IV of MRTU & PULP Act. An interim order came to be passed on 26-11-1991 by the Labour Court on account of which the Respondent is continued in service all throughout. When the matter was pending before the Industrial

Court in Revision, the Respondent was charged with the commission of another misconduct and his services came to be terminated. However, the Respondent was granted fresh appointment and the Respondent thus continues to be in service under the fresh order appointing him in the post in question. Learned counsel for the Respondent submits that in view of the said fresh appointment the present proceedings are rendered infructuous. This being admitted position no interference in exercise of the writ jurisdiction is called for. The writ petition is summarily dismissed.

(A.P. DESHPANDE, J.)